



State of Connecticut

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**Testimony of Senator Kevin Witkos, Senate Minority Leader Pro Tempore
Government Administration & Elections Committee
March 14, 2015**

**S.J. 36, Resolution Proposing an Amendment to the Constitution of the State to Protect
Certain Property Held or Controlled by the State for Conservation, Recreation, Open Space or
Agricultural Purposes**

Senator Cassano, Representative Jutila, Senator McLachlan, Representative Smith, and members of the Government Administration and Elections Committee, thank you for raising S.J. 36 Resolution Proposing an Amendment to the state Constitution Concerning the Environment and Natural Resources of the State.

The state of Connecticut has an obligation to protect state-owned forest land, parks, wildlife areas and other open space. I strongly support these efforts to better protect Connecticut's parks, forests and other state owned conservation, recreational and agricultural lands from being sold, traded or given away by legislative act. This protection must be guaranteed through a Constitutional Amendment to ensure that these safeguards remain in place for future generations.

The bill before us today is a welcome step forward. I applaud the Committee for working together to raise this proposal and give the public an opportunity to weigh in on the importance of protecting our environment.

It is essential that our state better protect land with a constitutional amendment to ensure that the following safeguards are always protected:

- There must always be a 2/3 vote by each chamber in favor of selling any preserved land, including agricultural conservation, recreational, and open space. This ensures that a proposal must gain overwhelming support before moving forward.
- There must always be a public hearing in the town or towns where the lands are located to ensure that the local community has a voice.
- Any legislation allowing for the sale of an open space property must always be a standalone bill. This will prevent sales from being incorporated into much larger conveyance or implementer bills, which are often rushed through the legislature.

- All money received for any transfer, sale or conversion of land must always be used solely to replace it with similar land to be used for open space, parks, forests or farms, which is also in proximity to the land being sold. This will preserve the amount of open space currently owned by the state and currently located in a community. The new land acquired by the state must be similar in conservation, recreation, or agricultural value to the land being sold. It also must be in as close proximity as possible. In addition, the fair market value of any land sold must be appropriated in the same bill that authorizes the sale to pay for the state's acquisition of similar open space.

I want to draw the Committee's attention to the following concerns I have with S.J. 36 as currently drafted:

- This amendment currently does not include reasonable exceptions such as for minor boundary adjustments, small parcels used for a specific public purpose, and transfers that keep the land protected.

Connecticut is a beautiful state. But if that beauty is not protected, it will not last forever. In recent years, we have seen instances of protected land being sold by the state without proper public discussion and assessment of such sales. For example, the Haddam land swap and the Silver Sands situation in Milford both challenged the public's trust in government. Lawmakers need to take steps to reassure the public that we are committed to protecting the environment. We also need to make sure those protections are guaranteed for our children and our children's children.

This is an incredible, forward-looking proposal and I wholeheartedly thank the Committee for raising it. Together, we can make a long-lasting difference in how our state protects the environment.